6167755/2022/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Andhra Pradesh Forest Department – Departmental Proceedings initiated against Sri N. Prasada Rao, FRO (Retd.), earlier Venkatagiri Range of SPSR Nellore Division under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Punishment of "withholding of five percent (5%) of pension for a period of two (2) years" against the Charged Officer – Imposed - Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Ms.No.49 **Dated:26.07.2022**

Read the following

1)From the PCCF & HoFF, A.P., Guntur, Lr.Ref.No.14066/2018/A&DC–2, dated 15.06.2021.
2)Memo.No.1098/Sec.IV/A1/2021, EFS & T (Sec.IV) Dept., dated 06.08.2021.
3)From the PCCF & HoFF, A.P., Guntur, Lr.Ref.No.14066/2018/A&DC-2, dated 16.11.2021.
4)Letter.No.1098/Sec.IV/A1/2021, EFS & T (Sec.IV) Dept., dated 10.05.2022.
5)From the Secretary, APPSC, Lr.No.GAD03-APPS0DCC/24/2022-DC SEC-APPSC Computer No.1738358, dated 10.07.2022.

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ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur has informed that the following Articles of Charge were issued to Sri N. Prasada Rao, Forest Range Officer, Venkatagiri Range of SPSR Nellore Division by the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur in Ref.No.14066/2018/Vig-1, dated 08.05.2019, under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991:-

Article-I:"That Sri N. Prasada Rao, Forest Range Officer has failed to report the fact of seizure of wild animal meat to the higher authorities and disposed the case at his level by collecting the compounding fee of Rs.52,000/- from the accused and remitted an amount of Rs.25,000/- by violating the procedure prescribed under Wildlife (Protection) Act,1972 resulting misappropriation of Government money to a tune of Rs.27,000/-".

Article-II:"That Sri N. Prasada Rao, Forest Range Officer has usurped the powers of Deputy Conservator of Forests as per Wildlife (protection) Act, 1972 and compounded the wild animal meat involved in offence case UDOR- 4/2017-18, dated 09.10.2017 by converting into ROR case 98/2017-18 thereby violated section 54 of Wildlife (Protection) Act, 1972 and failed to follow procedure prescribed under Wildlife Crime Investigation.

2. The Charged Officer acknowledged the receipt of Articles of Charge on 29.05.2019 but did not submit any written defence statement within the stipulated time. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur appointed t he Conservator of Forests, Guntur Circle as

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Inquiry Officer and the Divisional Forest Officer, SPSR Nellore Division as Presenting Officer in Proc.No.14066/2018/Vig-1 (i&ii), dated 21.08.2019, for conducting the regular enquiry. The Charged Officer has submitted his explanation dated Nil to the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur, after appointment of Inquiry Officer and Presenting Officer.

3. The Inquiry Officer & the Conservator of Forests, Guntur Circle has completed the inquiry and submitted his findings along-with connected case records in Rc.No.1152/2019/M3, dated 28.03.2020 wherein, the Inquiry Officer concluded as follows:-

Findings:-

Charge-I: "After thorough examination of the records available against the charge that, the Charged Officer has failed to report the fact of seizure of wild animal meat to the higher authorities and disposed the case at his level by collecting the compounding fee of Rs.52,000/- from the accused and remitted only an amount of Rs.25,000/- by violating the procedure prescribed under Wildlife (Protection) Act, 1972, resulting misappropriation of Government money to tune of Rs.27,000/- is **not proved**, as the accused in the wildlife case has not produced any evidence at the time of enquiry by the DFO., FSD, Guntur."

Charge-II: "After examination of the enquiry reports of the Sub-Divisional Forest Officer, Venkatagiri and Divisional Forest Officer, FSP., Guntur and related case records, defence statement of the Charged Officer, it is evident that the Charged Officer has violated the procedure prescribed under different sections of Wildlife (Protection) Act,1972. The plea of the Charged Officer that he has not known about the provisions of the Act and usurp the powers vested with the Deputy Conservator of Forests in compounding the wildlife offence cases is not tenable and therefore, **charge-2 framed against him is proved beyond any reasonable doubt**.

4. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur has communicated the findings of the Inquiry Officer to the Charged Officer in Ref.No.14066/2018/A&DC-2, dated 12.07.2020. The Charged Officer acknowledged the receipt of the Final Notice on 18.02.2021 but did not submit any further defence statement.

5. The Charged Officer has retired from Government Service on attaining the age of superannuation on 30.06.2019. Hence, the disciplinary proceedings are continued under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

6. After careful examination of the matter, Government have taken a provisional decision to impose a punishment of "withholding of five percent (5%) of pension for a period of two (2) years" against Sri N. Prasada Rao, Forest Range Officer (Retd), earlier Venkatagiri Range of SPSR Nellore Division.

7. Accordingly, in Memo., 2nd read above, a Show-cause Notice was issued to the Charged Officer through Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur. In the reference 3rd read above, the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur has informed that Show-cause Notice was communicated to the Charged Officer

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in Ref.No.14066/2018/A&DC-2, dated 25.08.2021 and the same was acknowledged by the Charged Officer on 30.09.2021 and submitted his further defense statement, dated 12.10.2021 wherein, there are no new/fresh and valid reasonable points.

8. After careful examination of the entire issue, Government have decided to confirm the provisional decision to impose a punishment of "withholding of five percent (5%) of pension for a period of two (2) years" against Sri N. Prasada Rao, Forest Range Officer (Retd), earlier Venkatagiri Range of SPSR Nellore Division, under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

9. On communication, the Secretary, A.P. Public Service Commission in the letter 5th read above has informed that the Commission agreed with the proposal of the Government to impose a punishment of "withholding of five percent (5%) of pension for a period of two (2) years", against Sri N. Prasada Rao, Forest Range Officer (Retd), earlier Venkatagiri Range of SPSR Nellore Division.

10. After careful examination of the entire matter, the Government hereby order to impose a punishment of "withholding of five percent (5%) of pension for a period of two (2) years", against Sri N. Prasada Rao, Forest Range Officer (Retd), earlier Venkatagiri Range of SPSR Nellore Division, under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

11. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri N. Prasada Rao, Forest Range Officer (Retd), earlier Venkatagiri Range of SPSR Nellore Division through Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur.
The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur. (with original connected case record i.e., CF, Guntur File No.1152/2019/M3 containing pages from 01 to 412)

Copy to:
The Accountant General (A&E), Andhra Pradesh, Vijayawada.
The Director of Treasuries & Accounts, Ibrahimpatnam, Vijayawada.
The Secretary, A.P. Public Service Commission, Vijayawada.
The OSD to M (Energy, EFS&T, Mines & Geology).
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The PS to the Special Chief Secretary to Government, EFS&T Department.
SF/SC (Computer No.1447169).

//FORWARDED :: BY ORDER//

SECTION OFFICER